

11/23/99  
jc713 U.S. PTO

PATENT

A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Atty. Dkt. No.: UTSD:681**

**Prior Application Examiner:  
L. Scheiner**

**Classification Designation:  
424-190.100**

**Prior Group Art Unit: 1648**

**BOX PATENT APPLICATION**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

jc503 U.S. PTO  
09/448330  
11/23/99

EXPRESS MAIL MAILING LABEL

NUMBER EL259185353US  
DATE OF DEPOSIT November 22, 1999

**REQUEST FOR FILING DIVISIONAL APPLICATION  
UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a divisional application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 90/001,157 filed December 30, 1997, entitled "Expression Library Immunization," which is a divisional of Serial No. 08/421,155 filed April 7, 1995, now issued as U.S. Patent 5,703,057.

- ☒ 1. Enclosed is a copy of the prior application Serial No. 08/421,155 as originally filed, including specification, claims, drawings, and declaration. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or

both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

(a) ☒ The inventorship is the same as prior Application Serial Nos. 08/421,155 and 09/001,157.

(b) ☐ Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).

(c) ☐ Priority of foreign patent application number , filed in is claimed under 35 U.S.C. § 119(a)-(e). The certified copy:

☐ is enclosed.

☐ has been filed in the prior Application Serial No.

☐ 2. Enclosed is a check in the amount of \$ to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Clause No. 7 below.

CLAIMS AS FILED IN THE PRIOR APPLICATION  
LESS CLAIMS CANCELED BELOW

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				\$760.00
Total Claims	- 20 =	X	\$18.00 =	\$ .00
Independent Claims	- 3 =	X	\$78.00 =	\$ .00
Multiple Dependent Claim(s) -----				\$-0-.00
<b>TOTAL FILING FEES:</b>				<b>\$ .00</b>
FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE

- ☐ 3. Applicant is entitled to Small Entity Status for this application.
- ☐ (a) A small entity statement is enclosed.
- ☐ (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ (c) Small entity status is no longer claimed.

☒ 4. Enclosed is a copy of the current Power of Attorney in the prior application.

☒ 5. Address all future communications to:

Mark B. Wilson  
ARNOLD WHITE & DURKEE  
750 Bering Drive  
Houston, Texas 77057-2198  
(512) 418-3000

☒ 6. The prior application is presently assigned to Board of Regents, The University of Texas System.

☒ 7. Enclosed is a preliminary amendment.

☐ 8. Cancel in this application claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained).

☐ 9. Amend the specification by inserting before the first line the sentence: --This is a continuation of co-pending application Serial No. filed --.

☐ 10. Enclosed are formal drawings.

☐ 11. An Information Disclosure Statement (IDS) is enclosed.

☐ (a) PTO-1449.

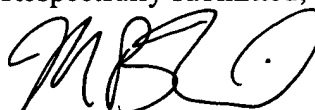
☐ (b) Copies of IDS citations.

☒ 12. Transfer the sequence information, including the computer readable form previously submitted in the parent application, Serial No. 09/001,157 filed December 30, 1997, for use in this application. Under 37 C.F.R. § 1.821(e), Applicant states that

the paper copy of the sequence listing in this application is identical to the computer readable copy in parent application Serial No. 09/001,157 filed December 30, 1997. Under 37 C.F.R. § 1.821(f), Applicant also states that the information recorded in computer readable form is identical to the written sequence listing.

- ☒ 13. Other: Preliminary Amendment; Request for Transfer of Sequence Listing.
- ☒ 14. Return Receipt Postcard (should be specifically itemized).

Respectfully submitted,



Mark B. Wilson  
Reg. No. 37,259  
Attorney for Applicant

ARNOLD, WHITE & DURKEE  
P.O. Box 4433  
Houston, Texas 77210-4433  
(512) 418-3000

Date: November 22, 1999

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Stephen A. Johnston et al.

Serial No.: Unknown

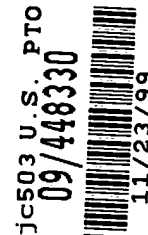
Filed: Unknown

For: **EXPRESSION LIBRARY  
IMMUNIZATION**

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: UTSD:681/WIM



<u>EXPRESS MAIL MAILING LABEL</u>	
NUMBER	EL259185353US
DATE OF DEPOSIT	November 22, 1999

**REQUEST FOR TRANSFER OF SEQUENCE LISTING  
UNDER 37 C.F.R. § 1.821(e)**

**BOX SEQUENCE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.821(e), Applicants respectfully request that the sequence information previously submitted in parent application ("parent application"), U.S. Serial No. 09/001,157 filed December 30, 1997, be transferred to and used in the above-referenced patent application ("instant application"). Only one computer readable sequence listing was submitted to the U.S. Patent and Trademark Office in the parent application. The sequence information in the instant application is identical to the sequence information contained in the previously-filed computer readable sequence listing in the parent application. It is understood that the U.S. Patent and Trademark Office will make the necessary change in application number and filing date of

the computer readable form that will be used for the instant application. A paper copy of the sequence listing is included in the originally-filed specification of the instant application.

Applicants request the transfer of the previously-filed computer readable sequence listing from the parent application to the instant application is in lieu of filing a duplicate computer readable sequence listing.

No fee is believed to be due in connection with the filing of this document; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this document, the Assistant Commissioner is hereby authorized to deduct said fee from Arnold White & Durkee Deposit Account No. 01-2508/UTSD:681/WIM.

Respectfully submitted,



Mark B. Wilson  
Reg. No. 37,259  
Attorney for Applicant

ARNOLD, WHITE & DURKEE  
P.O. Box 4433  
Houston, Texas 77210-4433  
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Date: November 22, 1999